

Amendment No. 2 to HB0721

Sargent
Signature of Sponsor

AMEND Senate Bill No. 777

House Bill No. 721*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-130, is amended by adding the following as a new subsection:

(h)

(1) Any county that has been designated by the air pollution control board to have a vehicle inspection and maintenance program to attain or maintain compliance with national ambient air standards, may, by an affirmative vote of a majority of its governing body, exempt motor vehicles that are registered in the county that are required to undergo testing pursuant to § 55-4-101(d)(2), § 55-4-104(e)(2), or § 55-6-105(a)(9) and that are three (3) or less model years old from those motor vehicle inspection requirements; provided, that the governing body shall authorize the exemption on or before December 31, 2016, and the presiding officer of the governing body shall furnish a certified copy of the approved resolution to the technical secretary of the air pollution control board on or before January 31, 2017.

(2)

(A) The exemption authorized by an action of a governing body pursuant to subdivision (h)(1) shall take effect on the January 1 following the date on which the United States Environmental Protection Agency (EPA) approves a revised state implementation plan consistent with this subsection (h); provided, however, that if on such January 1, a contract exists between the department and a contractor providing inspection

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services, or a local pollution control program and a contractor providing inspection services, then the exemption shall take effect in those jurisdictions that are covered by the contract upon the date of the contract's termination or expiration or the effective date of the contract's renewal or an applicable amendment to the inspection service fee of such contract.

(B)

(i) The commissioner of environment and conservation shall certify in writing to the executive secretary of the Tennessee code commission the date of the approval by the EPA described in subdivision (h)(2)(A) and provide the executive secretary of the commission with a copy of such approval.

(ii) If a contract exists on the January 1 following the date of approval of the revised state implementation plan, then the commissioner or the chief public officer of the local pollution control program, whichever is applicable, shall also certify in writing the date of the department's or local pollution control program's contract termination or expiration or the effective date of the contract's renewal or an applicable amendment to the inspection service fee of such contract, and provide the executive secretary of the commission with a copy of the signed document.

SECTION 2. The air pollution control board is authorized to promulgate rules to effectuate the purposes of this act. All such rules shall be promulgated in accordance with the

Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4,
Chapter 5.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring
it.